

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Luis Perez Puentes,

Plaintiff,

v.

**Case No. 2:12-cv-21
Filings in 2:06-cv-189**

United States of America,

Defendant.

**Judge Michael H. Watson
Magistrate Judge E.A. Preston Deavers**

ORDER

This matter is before the Court for consideration of the November 14, 2012 Report and Recommendation of the United States Magistrate Judge, to whom this case was referred. ECF No. 475. Plaintiff Luis Perez Puentes moves to vacate his sentence, ECF No. 472. In response, the United States Government moves to dismiss his petition, ECF No. 474. The Magistrate Judge recommended that the Court dismiss Plaintiff's motion to vacate his sentence under 28 U.S.C. § 2255 as time-barred.

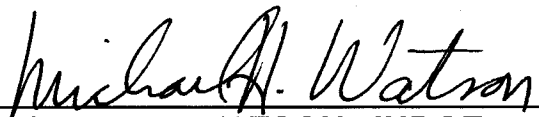
The Report and Recommendation of the Magistrate Judge specifically advises parties that the failure to object to the Report and Recommendation within fourteen days of the Report results in a "waiver of the right to *de novo* review . . . by the District Judge and waiver of the right to appeal the judgment of the District Court." Report and Recommendation 3, ECF No. 475. The time

period for filing objections to the Report and Recommendation has expired.

Plaintiff has not objected to the Report and Recommendation.

Noting that no objections have been filed and that the time for filing such objections expired, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge, ECF No. 475, **GRANTS** the United States Government's Motion to Dismiss, ECF No. 474, and **DENIES** Plaintiff's petition, ECF No. 472. The Clerk shall terminate the civil case, No. 2:12-cv-21.

IT IS SO ORDERED.



MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT